

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 LAURA KOHRS,
4 Plaintiff,

5 v.

6 SMITH'S FOOD & DRUG CENTERS, INC.,
7 Defendant.
8

Case No. 2:24-cv-02244-JAD-NJK

Order

[Docket No. 18]

9 Pending before the Court is Plaintiff's motion for leave to amend her complaint. Docket
10 No. 18. Defendant filed a response. Docket No. 21. Plaintiff filed a reply. Docket No. 22. The
11 motion is properly resolved without a hearing. *See* Local Rule 78-1.

12 Plaintiff sues Defendant for personal injuries, alleging that she was injured when she
13 tripped and fell in Defendant's parking lot. Docket No. 18 at 2. Originally filed in state court, the
14 case was removed to federal court based on diversity jurisdiction. Docket No. 1 at 1. Plaintiff
15 seeks to amend the complaint to name Jason Sonnenburg, Phillis Salazar, and Kim Doe as the
16 employees "responsible for maintaining the lighting and pavement of the subject parking lot."
17 Docket No. 18 at 2. Such amendment would destroy the diversity jurisdiction of this Court. *See*
18 Docket No. 18-1 at 3.

19 When a plaintiff seeks post-removal to add a non-diverse defendant, the proper analysis is
20 not under Fed. R. Civ. P. 15(a), but under Fed. R. Civ. P. 19, 20 and 28 U.S.C. 1447(e). *Newcombe*
21 *v. Adolf Coors Co.*, 157 F.3d 686, 689 (9th Cir. 1998). Plaintiff does not supply this Court with
22 an analysis under these applicable standards. *See* Docket No. 18.

23 Accordingly, the Court **DENIES** Plaintiff's motion for leave to amend her complaint
24 without prejudice. Docket No. 18.

25 IT IS SO ORDERED.

26 Dated: June 9, 2025

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Nancy J. Koppe
United States Magistrate Judge